

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**TQP DEVELOPMENT, LLC,**

**Plaintiff,**

**V.**

**WELLS FARGO BANK, N.A.,**

**Defendant.**

**No. 2:12-CV-61-JRG-RSP**

**CONSOLIDATED**

## JURY TRIAL DEMANDED

**TQP DEVELOPMENT, LLC,**

**Plaintiff,**

**V.**

DELL INC., ET AL.,

## Defendants.

**No. 2:12-CV-446-JRG-RSP**

## JURY TRIAL DEMANDED

## ORDER OF DISMISSAL WITH PREJUDICE

CAME ON THIS DAY for consideration of the Stipulated Motion for Dismissal With Prejudice of all claims and counterclaims asserted between plaintiff TQP Development, LLC and defendant Lowes Home Centers, Inc. in the lead consolidated case, *TQP Development, LLC v. Wells Fargo Bank, N.A.*, Case No. 2:12-cv-61, and *TQP Development, LLC v. Dell, Inc.*, Case No. 2:10-cv-446, and the Court being of the opinion that said motion should be GRANTED, it is hereby

ORDERED, ADJUDGED AND DECREED that all claims and counterclaims asserted between plaintiff TQP Development, LLC and defendant Lowes Home Centers, Inc. in the lead

consolidated case, *TQP Development, LLC v. Wells Fargo Bank, N.A.*, Case No. 2:12-cv-61, and *TQP Development, LLC v. Dell, Inc.*, Case No. 2:10-cv-446, are hereby dismissed with prejudice, subject to the terms of that certain agreement entitled “AGREEMENT” and dated July 10, 2013.

It is further ORDERED that all attorneys’ fees and costs are to be borne by the party that incurred them.

**SIGNED this 13th day of July, 2013.**

  
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ROY S. PAYNE  
UNITED STATES MAGISTRATE JUDGE